

**RECORDS MANAGEMENT COMMITTEE**  
City Clerk's Conference Room, 1st Floor, City Hall  
400 Stewart Avenue, Las Vegas, Nevada  
CITY OF LAS VEGAS INTERNET ADDRESS: <http://www.ci.las-vegas.nv.us>

**November 15, 2002**  
**1:30 p.m.**

CALL TO ORDER: City Clerk Ronemus called the meeting to order at 1:41 p.m.

ATTENDANCE: Barbara Jo (Roni) Ronemus, City Clerk  
Steve Houchens, Deputy City Manager (excused after 2:51 p.m.)  
John Redlein, Assistant City Attorney (arrived 2:44 p.m.)  
Mark Vincent, Director, Finance & Business Services  
Joseph Marcella, Director, Information Technologies (arrived 2:46 p.m.)  
Richard Goecke, Director, Public Works (excused)  
Radford Snelding, City Auditor  
Sharon Kuhns, Records Administrator  
Vicky Darling, Assistant Deputy City Clerk

ANNOUNCEMENT MADE RE COMPLIANCE WITH THE OPEN MEETING LAW -  
Meeting noticed and posted at the following locations:

Las Vegas-Clark County Library District, 833 N. Las Vegas Boulevard  
Senior Citizens Center, 450 E. Bonanza Road  
Clark County Government Center, 500 S. Grand Central Pkwy  
Court Clerk's Bulletin Board, City Hall Plaza  
City Hall Plaza, Posting Bulletin Board

(1:41)  
**1-1**

BUSINESS:

1. APPROVAL OF FINAL MINUTES BY REFERENCE OF THE RECORDS  
MANAGEMENT COMMITTEE MEETING OF OCTOBER 18, 2002

**VINCENT - Motion to APPROVE – HOUCHENS seconded the motion –  
UNANIMOUS with Goecke excused**

(1:42)  
**1-51**

2. DISCUSSION AND POSSIBLE ACTION ON RECORDS DESTRUCTION AUTHORIZATION FORM

**REDLEIN - Motion to APPROVE the form subject to modifications that at least one of the departmental designees completing the submitted by or reviewed by portion be a trained records delegate, amending the Records Administrator's authorization to Records Division authorization and adding a "destroyed by" portion to be dated and signed by the individual destroying the records – VINCENT - seconded the motion – UNANIMOUS with Goecke excused**

City Clerk Ronemus advised that this item was abeyed by Assistant City Attorney Redlein at the last meeting in order to allow Mr. Snelding, who was not present at that time, an opportunity to review the minutes and make comment. Mr. Goecke had indicated his opposition to any form inasmuch as there was no need for it and it would be a time-consuming process.

Mr. Snelding stated that he had reviewed the minutes from the previous meeting. His position is that more information is always better than less information and cited an instance where Ms. Kuhns prevented the destruction of a document that pertained to a matter involved in litigation. Even if such a situation only arose once, it would justify use of the form. In other places he has worked, this has become a big issue. The usual procedure is to include an affidavit or form when the box is originally place in storage.

Mr. Vincent outlined previous discussion regarding that type of procedure, but the procedure assumes a centralized storage facility and custodian of the records. Without that type of centralization, the question is how to keep Ms. Kuhns in the loop. Mr. Snelding confirmed with City Clerk Ronemus that the individual departments are currently responsible for records destruction and questioned whether discarding records into a dumpster constitutes destruction. Mr. Vincent continued outlining the opposing opinions of the Committee members as to whether or not an assumption of destruction was reasonable and acceptable based upon an approved retention schedule. Lastly, there had been discussion that if a form were used, what language it should include.

Mr. Snelding explained the auditor's perspective that it would be beneficial to have a authorization prior to destruction, but that he understood Mr. Goecke's comments that he would be executing a form without any personal knowledge regarding the individual records to be destroyed. Assistant City Attorney Redlein pointed out that the response to that issue was to have the review and approval occur at a lower departmental level by the Director's designee. The form does and should include two levels within the department, submitted by and approved by, and is then forwarded to the City Clerk's office for approval. Mr. Snelding concurred. Mr. Vincent recommended that at least one of the two within the department be required to be a trained records delegate. Mr. Snelding concurred

Deputy City Manager Houchens questioned the use of a centralized records site. Mr. Snelding outlined the procedure which would hold records within the department for a set period of time before transfer to a centralized records area. At the time of transfer, the box would include the appropriate destruction date to be entered into the computer. When that date arrived, authorization for destruction would be sought from the department and then the record would be destroyed. There are two problems with destroying records. One danger is with documents destroyed prior to the destruction date and the other is records not being destroyed when they should have been. Of the two situations, failing to destroy a record is the bigger concern. That concern is addressed by a centralized records facility.

Deputy City Manager Houchens questioned how the facility custodian or the department being asked for authorization would know what was contained within the box after the necessary retention period has elapsed. Mr. Vincent and City Clerk Ronemus explained that the form would be attached to the outside of the box, listing the record series of documents contained within the box. Ms. Kuhns added that the destruction procedure would require record series to be placed in one box. Deputy City Manager Houchens asked why the procedure could not be handled electronically. Mr. Vincent replied that the cost was prohibitive. Mr. Marcella added that before any procedure can be created electronically, the methodology must be refined manually. Ms. Kuhns stressed that the interim procedure already requires a department to notify her prior to destroying records. As for identifying the records, that responsibility rests within the department.

Mr. Vincent commented that he supported the concept of having Ms. Kuhns' review prior to destroying records and the only method for ensuring such a review is the type of form being considered. This is important even if it is not a requirement of the Nevada Revised Statutes.

Mr. Snelding raised the question of what happens when the boxes in storage are opened. There must be controls in place to eliminate the possibility that something will be destroyed contrary to the retention schedule. There must be relative surety that records are being destroyed consistent with the retention schedule. Appropriate authorization helps with that surety. Assistant City Attorney Redlein added that it also saves staff from having to review boxes at the time of the destruction. City Clerk Ronemus confirmed that necessary records could be retrieved from boxes, whether they are stored within the department or at a centralized site. She and Mr. Snelding concurred that the key would be having appropriate controls in place to address such a situation. Mr. Snelding pointed out that decentralized storage would require fewer controls. City Clerk Ronemus rebutted that Henderson is currently experiencing a problem with same-site storage. She confirmed that the Committee did not have a unanimous consensus on whether or not the form was necessary.

Mr. Snelding repeated his support for the form subject to delegating responsibility for it to the director's designees. Mr. Vincent noted that the policy to be written should include that each department assign the task so that at least one of the designees is a trained records delegate.

Deputy City Manager Houchens discussed with Ms. Kuhns certificates of destruction in order to make sure records are destroyed. Ms. Kuhns explained that Republic, who currently shreds the

City's confidential records, does not submit such certificates. Verification of destruction is done by a comparison of boxes identified on their billing invoices. Mr. Vincent pointed out that certificates of destruction are a very costly procedure. Deputy City Manager Houchens and City Clerk Ronemus discussed adding a date and signature space for "records destroyed" as an alternative.

Ms. Kuhns presented the Committee members with a label proposed to be used on record storage boxes. The label includes a bar code which would be tied to the box, the records series index contained within the box and the form being discussed. City Clerk Ronemus indicated that there is software available that will handle the bar code, which is another benefit of a centralized records facility. Ms. Kuhns offered to arrange a tour of a centralized facility for the Committee. Mr. Marcella confirmed that electronic tracking would be possible via the bar code on the box label and form.

Ms. Kuhns described the methods in which boxes could be tagged to prevent destruction when necessary due to an audit or legal hold. Mr. Marcella agreed that an electronic "tag" could also be placed in the system. Mr. Snelding stated that one of the temptations will be to continue adding records to a storage box. Mr. Vincent responded that such a temptation would be addressed through training. Ms. Kuhns indicated that boxes are usually prepared when emptying file cabinets. Mr. Vincent also pointed out that records are currently not being destroyed because staff is afraid to make a mistake. Ms. Kuhns responded that that is certainly not true with Mr. Vincent's department because they are very experienced with the records destruction of certain record series.

City Clerk Ronemus confirmed with the Committee that the consensus is that the form contain a submitted by and reviewed by portion, with a requirement that at least one such space be completed by a trained records delegate, and that the authorization from the City Clerk's office be by the Records Division as opposed to the Records Administrator. Mr. Snelding suggested a legal review as well. Assistant City Attorney Redlein and Ms. Kuhns outlined the huge delays such an additional review could cause. Assistant City Attorney Redlein outlined the process by which departments are notified of litigation and suggested that pertinent records could be pulled at that time. Ms. Kuhns replied that the usual procedure is to tag the records and/or box, but leave it in storage. Assistant City Attorney Redlein recommended that Ms. Kuhns meet with the legal department to discuss options.

Deputy City Manager Houchens expressed a concern with destroying records in boxes where the box contents may have changed. City Clerk Ronemus indicated that the software would track changes within a box. In addition, it would be obvious visually that the contents could not have changed if the seal were not broken. Mr. Vincent stressed that staff would be trained to deal with situations where a seal was broken and to appropriately track activity after a box was transferred to storage. Mr. Marcella commented that limiting the people dealing with activity within storage boxes would help to make sure that such people were trained and followed the procedure to be established.

Ms. Kuhns stated that a call would be placed to a custodian, a brief description of the necessary document given and the record would be pulled by that trained individual. Information as to the activity would be tracked through the database. Mr. Vincent noted that decentralized record storage would allow for greater access by many people, thereby reducing the suggested controls. Centralized storage would increase controls and restrict access to fully trained staff.

Mr. Snelding asked the manner in which legal and audit holds would be transmitted. City Clerk Ronemus indicated that a letter would be generated by the Records Division. Ms. Kuhns added that the City Clerk's office is aware of lawsuits since they are filed with the City Clerk's office and a database is maintained. Mr. Snelding asked about records from another department. An example was discussed regarding Public Works' records pertaining to a bridge project that might also have invoice records retained and destroyed by Finance. Mr. Vincent answered that records could be held and preserved if they were notified of such a lawsuit. Unfortunately the human factor prevents every situation from being addressed.

Deputy City Manager Houchens countered that much of the process could be addressed through automation. Mr. Marcella responded that an electronic document management review was recently conducted which would fit just this type of situation. Anything that can be perfected manually can then be automated, but it must be perfected first.

Deputy City Manager Houchens discussed with City Clerk Ronemus that the projected space for the centralized records facility would be 10,000 square feet, the same amount of space being vacated by the Municipal Court. Mr. Marcella and City Clerk Ronemus advised that the facility must be five to six miles off-site. Mr. Marcella added that there are a number of initiatives coming on line that may assist with the arrangement.

Assistant City Attorney Redlein reviewed with Ms. Kuhns and Mr. Vincent the process should Deputy City Attorney Bill Henry call and request a legal hold on various records due to pending litigation. Perhaps the records should be physically removed from storage and brought back to City Hall. He also questioned how long before Ms. Kuhns would sign off on a records destruction. Ms. Kuhns stressed that she counseled the departments who recently relocated to City Hall regarding the interim procedure for the destruction of records, but she did not receive any notification regarding any records. City Clerk Ronemus indicated that the interim process, which includes a sign-off by Ms. Kuhns, has been in place and working for sometime.

Deputy City Manager Houchens questioned where the completed form will be kept. City Clerk Ronemus replied that Ms. Kuhns will keep a copy of the form in the Clerk's office after she has signed it. The original will be returned to the department. Deputy City Manager Houchens pointed out that the Clerk's copy will not include the destruction data. Ms. Kuhns explained that that information is not critical for the Clerk to maintain and the original, which will include that data, will be retained within the department. Mr. Snelding added that the issue will become moot when the process is automated.

There was no further discussion.

(1:42 – 2:51)

**1-60**

3. REPORT AND POSSIBLE DISCUSSION ON THE IT DEPARTMENT CONTINGENCY EXERCISE AND VITAL RECORDS

Ms. Kuhns provided an overview of the Desktop Exercise presented by Joe Santilli of Information Technology (IT) which evaluated the readiness of the City departments contingency process as well as IT's ability to provide essential services during an emergency. The emergency proposed was a truck of hazardous waste dumped near City Hall, causing an evacuation for a five-mile radius. The concerns involved the evacuation of 24-hour IT staff without powering down. Thereafter it was determined to cut all electricity and gas to evacuated area. Team Las Vegas gathered at Detention & Enforcement to identify necessary processes. The cancellation of a Council meeting was discussed and addressed. Phone trees were confirmed. Using a skeleton crew, various systems were addressed, such as communications and backup tapes.

Mr. Marcella explained that the critical issue was the current day's activity, which happened to be payroll. The contingency process is that if the current payroll is not available, the last payroll is used. Ms. Kuhns advised that, in this instance, the current activity was accessible and simply had not been transmitted to the bank. This was an excellent exercise, addressing power, backup, recovery and the website. The non-IT participants were able to ask questions from an end-user perspective. At the end of the exercise, Mr. Santilli outlined those issues IT will be looking at and questioned those that the departments will be attempting to address. In most cases, departments determined that they could live without IT support for 72-hours. The Courts indicated that they could possibly go for a week. Key would be prioritizing systems to be operated at the off-site recovery site in the Northwest.

Mr. Marcella pointed out that without air conditioning, which is not run by the generators, the system will still cook and shut itself down. Some systems will be fried and others will have come down in an ungraceful fashion and will not come back up easily. He anticipates the building will be reconfigured as a result of this exercise. Bill Cimo from the City Auditor's office attended the exercise and Mr. Marcella discussed with him that this is the perfect application for electronic archiving. While creating activity for the day, all systems are archived automatically some place else as well. The difficulty is cost. However, it would answer the problems created by this type of a situation. A past exercise did confirm that the City can run from its off-site location. Ms. Kuhns pointed out that the past exercise did not include a priority list. City Clerk Ronemus and Mr. Marcella discussed alternative methods which have caused a restructuring of the priorities.

There was no further discussion.

(2:51 – 3:00)

**1-2707**

4. INFORMATIONAL MATTERS FOR FUTURE RECORDS MANAGEMENT COMMITTEE AGENDAS

Mr. Vincent and City Clerk Ronemus confirmed that Deputy City Attorney Bob Sylvain has been working on the resolution which needs to be brought before the Committee. It should be ready to be placed on the next agenda. City Clerk Ronemus announced that the December 13 meeting will be cancelled due to leadership training for the City which will conflict with the Records Management Committee. She confirmed with Mr. Vincent that the January meeting will be acceptable. Ms. Kuhns added that she will make sure all members of the Committee receive a copy of the resolution.

There was no further discussion.

(3:00)

**1-3166**

CITIZENS PARTICIPATION:

None.

(3:00)

**1-3230**

ADJOURNED:

**SNELDING - Motion to ADJOURN – VINCENT - seconded the motion – UNANIMOUS with Houchens and Goecke excused**

The meeting adjourned at 3:01 p.m.

/vwd